

In the claims:

1. (Currently amended) A heat exchanger, comprising:
 - a first end tank;
 - a second end tank opposite the first end tank;
 - a plurality of first tubes in fluid communication with the first and second end tanks, the plurality of first tubes adapted to have a first fluid flow therethrough;
 - a plurality of second tubes in fluid communication with the first and second end tanks, the plurality of second tubes adapted to have a second fluid, different from the first fluid, flow therethrough;
 - a plurality of fins disposed between the first and second tubes, with the first and second tubes and the fins being generally coplanar relative to each other;
 - an inlet and an outlet on the first end tank for the first fluid flow; [[and]]
 - an inlet on the first end tank and an outlet on the second end tank for the second fluid flow; and
 - means for performing a passive bypass function including at least one of: a passageway formed within each of the plurality of first tubes and having partitions which divide the passageway; or at least one of the first tubes, second tubes or a plurality of third tubes having a hydraulic diameter other than that of the other tubes;
- wherein at least one of the first fluid or second fluid is a radiator fluid.
2. (Previously presented) The heat exchanger as in claim 1 wherein the first end tank and the second end tank each include at least one baffle having a peripheral portion and central portion, and wherein the peripheral portion is thicker than the central portion.
3. (Canceled)
4. (Currently amended) The heat exchanger as in claim [[3]] 1 wherein the partitions include fins.

5. (Canceled)

6. (Previously presented) The heat exchanger as in claim 1 wherein the first fluid is an oil.

7. (Currently amended) A heat exchanger, comprising:

a first end tank;

a second end tank opposite the first end tank;

a plurality of first tubes in fluid communication with the first and second end tanks, the plurality of first tubes adapted to have a first fluid flow therethrough;

a plurality of second tubes in fluid communication with the first and second end tanks, the plurality of second tubes adapted to have a second fluid, different from the first fluid, flow therethrough;

a plurality of third tubes, smaller in hydraulic diameter than the first and second tubes, and in fluid communication with the first and second end tanks, the plurality of third tubes adapted to have a third fluid, different from the first or second fluid, flow therethrough;

a plurality of fins disposed between the first, second and third tubes, with the majority of fins being generally co-planar relative to each other;

an inlet and an outlet on the first end tank for the first fluid flow; [[and]]

an inlet on the first end tank and an outlet on the second end tank for the second fluid flow; and

means for performing a passive bypass function including at least one of: a passageway formed within each of the plurality of first tubes, second tubes or third tubes, the passageway having partitions which divide it; or the hydraulic diameter of at least one of the first tubes, second tubes or third tubes being other than that of the other tubes;

wherein the third fluid is a radiator fluid.

8. (Previously presented) The heat exchanger as in claim 7 wherein the first end tank and the second end tank each include at least one baffle.

9. (Canceled)

10. (Currently amended) The heat exchanger as in claim [[9]] Z wherein the partitions include fins.

11. (Canceled)

12. (Previously presented) The heat exchanger as in claim 7 wherein the first fluid is an oil.

13. (Previously presented) The heat exchanger as in claim 7, wherein the first or second fluid is an oil.

14. (Currently amended) A heat exchanger, comprising:
a first end tank;
a second end tank opposite the first end tank;
a plurality of first metal tubes in fluid communication with the first and second end tanks, and being adapted to have a first fluid flow therethrough;

a plurality of second metal tubes in fluid communication with the first and second end tanks, and being adapted to have a second fluid, different from the first fluid, flow therethrough; [[and]]

a plurality of third metal tubes, smaller in hydraulic diameter than the first and second metal tubes, in fluid communication with the first and second end tanks, and being adapted to have a third fluid, different from the first fluid or second fluid, flow therethrough, and a plurality of fins disposed between any of the first, second or third tubes, with at least

two of the first, second or third tubes and the fins being generally coplanar relative to each other; and

means for performing a passive bypass function including at least one of: a passageway having partitions which divide the passageway formed within each of the plurality of first tubes, second tubes, or third tubes or an inlet and an outlet on the first end tank for the first fluid flow and an inlet on the first end tank and an outlet on the second end tank for the second fluid flow, wherein at least one of the first tubes, second tubes or third tubes is of another hydraulic diameter than one of the other tubes, and wherein the third tubes are smaller in hydraulic diameter than the at least one first and second tubes;

wherein at least one of the first, second or third metal tubes includes an interior wall structure including a partition adapted for subdividing the tube into a plurality of passageways within the tube.

15. (Previously presented) The heat exchanger as in claim 14 wherein the first end tank and the second end tank each include at least one baffle.

16. (Currently amended) The heat exchanger as in claim 14, having an inlet and an outlet on the first end tank for the first fluid flow and an inlet on the first end tank and an outlet on the second end tank for the second fluid flow, ~~wherein at least one of the first tubes, second tubes or third tubes is of another hydraulic diameter than one of the other tubes, and wherein the third tubes are smaller in hydraulic diameter than the at least one first and second tubes.~~

17. (Canceled)

18. (Previously presented) The heat exchanger as in claim 14 wherein the partition includes at least one fin.

19. (Currently amended) A heat exchanger for an automotive vehicle, comprising:
at least one end tank;
at least two heat exchangers including a plurality of spaced apart metal tubes with fins between the spaced tubes;

means for allowing a passive bypass function including at least one of a passageway having partitions which divide the passageway formed within each of the plurality of spaced apart metal tubes or at least one of the spaced apart metal tubes is of another hydraulic diameter than one of the other spaced apart metal tubes;

at least three baffles in the at least one end tank;
the heat exchangers being disposed so that their respective tubes and fins are generally coplanar with each other and are connected to the end tank;
at least two inlets or at least two outlets on the at least one end tank; and
the heat exchangers are selected from the group consisting of an oil heat exchanger, a condenser, a radiator, or combinations thereof.

20. (Previously presented) The heat exchanger as in claim 19 wherein the at least one of said heat exchangers is a radiator.

21. (Currently amended) A heat exchanger system, comprising:
one heat exchanger and at least one other heat exchanger, each of which includes:

a first end tank;

a second end tank opposite the first end tank;

a plurality of first tubes in fluid communication with the first and second end tanks, the plurality of first tubes adapted to have a first fluid flow therethrough;

a plurality of second tubes in fluid communication with the first and second end tanks, the plurality of second tubes adapted to have a second fluid, different from the first fluid, flow therethrough;

a plurality of fins disposed between the first and second tubes, with the first and second tubes and the fins being generally coplanar relative to each other;

an inlet and an outlet on the first end tank for the first fluid flow;
an inlet on the first end tank and an outlet on the second end tank for the
second fluid flow; and
means for allowing a passive bypass function including at least one of a
passageway having partitions which divide the passageway formed within each of
the plurality of first tubes or at least one of the first tubes, second tubes or a plurality
of third tubes is of another hydraulic diameter than one of the other tubes,
wherein at least one of the first fluid or second fluid is a radiator fluid
the heat exchanger as in claim 1 and at least one other heat exchanger.

22. (Currently amended) A heat exchanger system, comprising:
one heat exchanger and at least one other heat exchanger, each of which includes:

a first end tank;
a second end tank opposite the first end tank;
a plurality of first tubes in fluid communication with the first and second end
tanks, the plurality of first tubes adapted to have a first fluid flow therethrough;
a plurality of second tubes in fluid communication with the first and second
end tanks, the plurality of second tubes adapted to have a second fluid, different
from the first fluid, flow therethrough;
a plurality of third tubes, smaller in hydraulic diameter than the first and
second tubes, and in fluid communication with the first and second end tanks, the
plurality of third tubes adapted to have a third fluid, different from the first or second
fluid, flow therethrough;
a plurality of fins disposed between the first, second and third tubes, with the
majority of fins being generally co-planar relative to each other;
an inlet and an outlet on the first end tank for the first fluid flow;
an inlet on the first end tank and an outlet on the second end tank for the
second fluid flow; and

means for performing a passive bypass function including at least one of a passageway having partitions which divide the passageway formed within each of the plurality of first tubes, second tubes, or third tubes or at least one of the plurality of first tubes, second tubes or third tubes is of another hydraulic diameter than one of the other tubes;

wherein the third fluid is a radiator fluid
~~the heat exchanger as in claim 7 and at least one other heat exchanger.~~

23. (Previously presented) The heat exchanger system as in claim 21, wherein one heat exchanger is adapted to have a fluid selected from the group of radiator coolant and an automotive fluid, and the at least one other heat exchanger is adapted to have a fluid selected from the group of automotive fluids.

24. (Previously presented) The heat exchanger system as in claim 22, wherein one heat exchanger is adapted to have a fluid selected from the group of radiator coolant and an automotive fluid, and the at least one other heat exchanger is adapted to have a fluid selected from the group of automotive fluids.

25. (Previously presented) The heat exchanger system as in claim 21, wherein the heat exchangers are arranged in parallel.

26. (Previously presented) The heat exchanger system as in claim 22, wherein the heat exchangers are arranged in parallel.

27. (Previously presented) The heat exchanger system as in claim 21, wherein the heat exchangers are arranged side by side.

28. (Previously presented) The heat exchanger system as in claim 22, wherein the heat exchangers are arranged side by side.

29. (Previously presented) The heat exchanger as in claim 1, wherein the fluid flow direction is vertical or down flow from top to bottom or bottom to top.

30. (Previously presented) The heat exchanger as in claim 7, wherein the fluid flow direction is vertical or down flow from top to bottom or bottom to top.